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R E M A R K S

Claim 22 has been amended to correct a typographical error. Claims 1-4, 6-8, 11-16 and 21 stand as previously presented. Claims 5, 9, 10 and 17-20 have been cancelled.

5 Claims 1-4, 6-8, 11-16 and 19-22 were considered in the Office Action.

Claims 1, 2, 4, 6-8, 11 and 19-22 stand rejected under 35 U.S.C. 102(b) as being anticipated by Ishida et al., U.S. Patent 5,359,385 (hereinafter referred to as Ishida). Claim 3
10 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Ishida in view of Mizokami et al., U.S. Patent 4,584,610. Claims 12-16 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Ishida in view of Safai, U.S. Patent 6,715,003.

15 The Applicants believe that the currently pending claims are not anticipated by or obvious over the cited references for at least the reasons set forth below, and respectfully request reconsideration.

Claim 1

20 The cited references do not disclose or suggest:

"A method of configuring settings in an imaging device, comprising:

configuring said settings in said imaging device with default values, wherein said default values are
25 calculated based on a plurality of previous externally adjusted values for said settings;

if at least one value for said settings is externally adjusted, configuring said settings in said imaging device with said at least one value;

30 receiving an indication that said settings are

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acceptable; and

determining whether to combine said at least one value for said settings in said imaging device with said plurality of previous externally adjusted values for subsequent uses of said default values."

(Claim 1, emphasis added)

The above highlighted features are not anticipated by the cited references and would not have been obvious to a person with ordinary skill in the art having the cited references. None of the cited references disclose determining whether to combine at least one settings value with previous adjusted values. The Office Action mailed January 14, 2005 indicates that Ishida always saves settings, and that this constitutes a determination of whether to save. (Paragraph 2, last sentence) Applicants respectfully disagree that this teaches making a **determination** whether to combine settings. Because Ishida **always** saves settings for later combination, there is no **determination** made of whether to combine settings.

Dependent claims 2-4, 6-8 and 11 depend ultimately upon independent claim 1 which is allowable over the cited art as discussed above. These dependent claims are likewise in condition for allowance at least because they depends on an allowable independent claim. However, dependent claims 2-4, 6-8 and 11 are independently allowable at least in that they recite particular features which, when combined with the elements of the independent claim, are not disclosed or suggested in the cited references.

Claim 12 is believed allowable as depending from an allowable base claim and is further believed allowable in that the cited references do not disclose or suggest:

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"The method of claim 1, wherein said imaging device has an accumulation mode, and wherein said determining whether to combine said at least one value for said settings comprises reading a state of said accumulation mode."

5 (Claim 12, emphasis added)

Applicants respectfully disagree that Ishida and Safai, taken independently or in combination, disclose or suggest an accumulation mode to determine whether to combine settings values. As discussed above, Ishida always saves settings for later combination. Safai is directed to a digital camera in which address information may be used for delivery of images over a network. (Abstract) Safai, col. 23, lines 29-35 and col. 24, lines 40-55, has been cited as disclosing an accumulation mode. Applicants respectfully disagree. These sections of Safai discuss "Done" or "Cancel" options that may be selected by a user in an Edit menu (Safai, col. 23, lines 20-22) to save or discard changes made to an image. This is not equivalent to an accumulation mode in an imaging device controlling whether settings are combined. A user response to a query is not a mode in an imaging device, but a state.

Furthermore, Applicants do not believe that a motivation exists to combine Ishida and Safai. Ishida is directed to controlling settings of a digital camera using a learning function, Safai is directed to a digital camera in which captured images may be edited and delivered across a network. Safai's "Done" and "Cancel" options do not affect the settings used to capture an image.

Applicants therefore believe that claim 12 is allowable over the cited references and respectfully request reconsideration.

Claim 13 is believed allowable as depending from an allowable base claim and is further believed allowable in that

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the cited references do not disclose or suggest:

"The method of claim 12, further comprising not combining said at least one value for said settings if said accumulation mode is in a Discard state."

5 (Claim 13, emphasis added)

The arguments for allowability set forth above with respect to claim 12 are repeated, but specifically directed to the method of claim 13. Again, the references, including Safai, do not disclose an accumulation mode for determining whether to combine settings values.

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Claim 14 is believed allowable as depending from an allowable base claim and is further believed allowable in that the cited references do not disclose or suggest:

"The method of claim 12, further comprising combining said at least one value for said settings if said accumulation mode is in an Add state."

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(Claim 14, emphasis added)

The arguments for allowability set forth above with respect to claim 12 are repeated, but specifically directed to the method of claim 14. Again, the references, including Safai, do not disclose an accumulation mode for determining whether to combine settings values.

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Claim 15 is believed allowable as depending from an allowable base claim and is further believed allowable in that the cited references do not disclose or suggest:

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"The method of claim 12, further comprising prompting a user to decide whether to combine said at least one value for

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said settings if said accumulation mode is in a Prompt state."

(Claim 15, emphasis added)

The arguments for allowability set forth above with respect to claim 12 are repeated, but specifically directed to the method of claim 15. Again, the references, including Safai, do not disclose an accumulation mode for determining whether to combine settings values. Although Safai does disclose a user interface that prompts a user for a choice, none of the references disclose an accumulation mode, and Safai's prompt is not related to settings of an imaging device but to maintaining changes made to a previously captured image.

Dependent claims 16 and 21 depend ultimately upon independent claim 1 which is allowable over the cited art as discussed above. These dependent claims are likewise in condition for allowance at least because they depends on an allowable independent claim. However, dependent claims 16 and 21 are independently allowable at least in that they recite particular features which, when combined with the elements of the independent claim, are not disclosed or suggested in the cited references.

Claim 22 is believed allowable as depending from an allowable base claim and is further believed allowable in that the cited references do not disclose or suggest:

"The method of claim 1, wherein said combining said at least one value comprises **combining said at least one value with said plurality of previous externally adjusted values to form new default values and storing said new default values in said imaging device.**"

(Claim 22, as amended, emphasis added)

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The cited references do not disclose or suggest storing a combined default value in an imaging device. Ishida discloses storing a data set for a predetermined number of photographing operations in the past. (Col. 3, line 67 - col. 4, line 3, see also col. 7, lines 54-59) Ishida reads all the previous settings and calculates the average as a correction value for each scene. (Col. 7, lines 59-62) Ishida does not disclose or suggest storing the combined setting value rather than all the previous individual setting values.

The Applicants believe that the currently pending claims are allowable over the cited references and respectfully request the timely issuance of a Notice of Allowance.

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Respectfully submitted,
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